

**REMARKS**

Claims 35-65 are presented for examination, claims 1-34 and 66-114 having been withdrawn from consideration as being directed to a non-elected invention.

New claims 115-119 are similar to the respective independent claims elected for prosecution.

**INTERFERENCE**

Applicants have previously supplied, in the Amendment dated March 22, 2004, a chart demonstrating correspondence between the application claims 35-65 and those of various patents. A separate chart listing Claims 66-114 was also provided. Those charts are incorporated herein by reference.

**RESTRICTION REQUIREMENT**

New claim 120 is believed to link claim 66 and 55, and clearly demonstrates the close correspondence of these inventions.

New claim 121 is believed to link claim 92 and 47, and clearly demonstrates the close correspondence of these inventions.

New claim 122 is believed to link claim 113 and 55, and clearly demonstrates the close correspondence of these inventions.

It is therefore respectfully submitted that, with respect to claims 66-100 and 113-114, that the restriction requirement be traversed and otherwise withdrawn, as the respective inventions are linked through proper linking claims showing the correspondence of various claim terms. It is believed that the compelling state interest in resolving interference issues, and issuing only one patent for an inventive concept, compels consolidated proceedings including the present application, US 5,724,567, 5,758,257, 5,754,939, 5,798,785 and 6,136,316.

**CLAIM REJECTIONS - 35 U.S.C. § 102**

Claims 35-48, 50-51, 55-56, 58 and 59 are rejected under 35 U.S.C. § 102(a) as allegedly being "clearly" anticipated by Hey, U.S. Patent Nos. 4,996,642 and 4,870,579.

The Hey references relate to a system which seeks to relate users to other users by inferred common likes. Therefore, while a "persistent user-specific profile," or its analogue, is created and stored, there is no need for, or disclosure of, any storage of "content records". That is, all the system needs to store, or indeed is disclosed as storing, is an identification of the content. Likewise, since these "content records" are not themselves stored by the system according to Hey, they are neither accessed nor presented. The system described by Hey provides no enabling teaching, nor suggestion, that the content itself (e.g., content records) should be delivered within the same system as the recommendation relating thereto.

Thus, with respect to claim 35, Hey specifically fails to provide:

- means for storing a plurality of content records;
- means for accessing the content records;
- means for presenting to the user the related content records;

With respect to claim 40, Hey fails to provide:

- storing a plurality of content records;
- receiving a user request for content records;
- presenting to the user the related content records.

With respect to claims 47, 55 and 58, Hey fails to automatically generate the user-specific profile, since the Hey system provides a recommendation only, and not access to the objects themselves, and therefore does not have the necessary information to automatically generate the user-specific profile based on access history.

For example, it is clear that the content records of claim 35 cannot be the rating information presented by the system according to Hey, since the user rates the movie, not the movie

recommender system. Thus, the Examiner's rejection is inconsistent with the claims, and must fail.

**CLAIM REJECTIONS - 35 U.S.C. § 103**

The Examiner also rejects claims 49, 52-54, 57 and 60-65 as being obvious over 35 U.S.C. § 103 over Illey '579 or Hey '642. As above, the system according to Hey fails to teach or suggest the storage or presentation of content records, or automatic updating of user profiles based on access, and therefore the references are believed to be overcome.

It is noted that, the Hashimoto references, like the Hey references, do not teach or suggest a system for storage or presentation of content records, or the automatic updating of user profiles based on user access.

It is therefore respectfully submitted that the present claims are allowable, and an interference declared.

Respectfully submitted,

By   
Steven M. Hoffberg  
Reg. No. 33,511

MILDE & HOFFBERG, LLP  
10 Bank Street - Suite 460  
White Plains, NY 10606  
(914) 949-3100